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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

<b>FACSIMILE TRANSMITTAL COVER SHEET</b>	<b>Application Number</b>	10/661,755
	<b>Filing Date</b>	September 12, 2003
	<b>First Named Inventor</b>	Jeong J. MA
	<b>TITLE</b>	COMMUNICATION HEADSET AND METHOD
	<b>Art Unit</b>	2642
	<b>Examiner Name</b>	Jack CHIANG
	<b>Attorney Docket Number</b>	MOT-CS22547RL

TO: USPTO

Fax Number: 703-872-9306

ENCLOSURES

Description	# of pages
Reply Under 37 CFR 1.111, including copy of US Publication No. 2002/0021800)	3
Petition for Extension of Time Under 37 CFR 1.136(a) (in duplicate)	2
Credit Card Payment Form	1

Total number of pages in this submission (including this page): 7

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<b>Signature of Applicant, Attorney or Agent</b>	
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Signature	
Date:	May 27, 2005

<b>Certificate of Transmission/Mailing</b>	
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**MAY 27 2005****IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

<b>REPLY UNDER 37 CFR 1.111</b>	<b>Application Number</b>	10/661,755
	<b>Filing Date</b>	September 12, 2003
	<b>First Named Inventor</b>	Jeong J. MA
	<b>TITLE</b>	COMMUNICATION HEADSET AND METHOD
	<b>Confirmation Number</b>	8148
	<b>Group Art Unit</b>	2642
	<b>Examiner Name</b>	Jack CHIANG
	<b>Attorney Docket Number</b>	MOT-CS22547RL

To: Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Applicant submits the following response to the Official Action dated January 28, 2005, the period for responding thereto extended one month by virtue of the enclosed Petition for One Month Extension of Time.

**REMARKS**

Claims 1-2, 4-7, 10-16, 19 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bodley (U.S. Pub. No. 2002/0021800, Pub. date February 21, 2002). Claims 3, 8-9, 17-18, 20 and 22-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bodley et al. Applicant respectfully traverses both grounds of rejection.

With respect to independent claim 1, this claim specifies "a sensor that activates the communication base unit when the ear mount is rotated into the open position and deactivates the communication base unit when the ear mount is rotated into the closed position" (emphasis added). Bodley et al. does not teach or suggest this limitation. Bodley et al. discloses a sensor 102 that activates the communication base unit 1 when the boom 2 is rotated into an open position (see paragraphs [0079] [0080]). Bodley et al. also teaches a switch 114 that changes the orientation of buttons 108-112 depending upon whether the ear mount 6 is in a left ear or right ear position (see paragraph [0062]). Switch 114 does not activate or deactivate the communication base unit 1, however, as required by claim 1. Moreover, Bodley et al. teaches away from using ear mount position to activate and deactivate the communication base unit because doing so would preclude the ability of Bodley et al.'s communication unit to be configured for both right and left ear use, which is an important feature of the Bodley et al. device (see paragraph [0017]).